IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

MFA.No. 1235 of 2000(A)

O.P(MV).NO.2242/1997 OF MOTOR ACCIDENT CLAIMS TRIBUNAL, ALAPPUZHA DTD. 08/05/2000.
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APPELLANTS/PETITIONERS:
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1. **SUSEELA, W/O. SASIKUMARAN NAIR, SANKARAMANGALAM HOUSE, MUNICIPAL WARD NO. II, CHENGANNOOR, MANGALAM, VAZHARMANGALAM.P.O., (PERMANENT ADDRESS: PANJIKARAN VEETTIL, ARATTUVAZHY WARD, ALAPPUZHA)**

2. **SREEJITH KUMAR, S/O. SASIKUMARAN NAIR, -DO-.**

3. **SREERAJ KUMAR, S/O. SASIKUMARAN NAIR, -DO-.**

4. **SANKARA PILLAI, S/O. RAMA PANICKER, -DO-.**

5. **THANKAMMA, W/O. SANKARA PILLAI, -DO-.**

(APPELLANTS 2 AND 3 ARE MINORS, REPRESENTED BY MOTHER AND GUARDIANS SUSEELA, THE FIRST APPELLANT).

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS/RESPONDENTS:
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1. **J. SANTHAPPAN, NO. 45, II STREET, MAHALEKSHMI NAGAR, ERAVOOR, CHENNAI.**

M.F.A. NO. 1235/2000:

2. THE NATIONAL INSURANCE CO. LTD.,
SOWCARPET BRANCH OFFICE,
378, MINI STREET, SOWCARPET,
CHENNAI.

BY

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 14/08/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B.KOSHY & V.GIRI, JJ.

M.F.A.No.1235 OF 2000

Dated 14th August, 2007

JUDGMENT

Koshy,J.

One Sasikumaran Nair, at the age of 40, died in a motor accident. His wife and children along with mother filed an application for compensation. The accident occurred on 1.12.1997. According to the claimants, the deceased was engaged in Bombay with a monthly salary of Rs.5,175/=. The Tribunal accepted the above and after deducting personal expenses Rs.3,000/= was taken as loss of monthly dependency and compensation was calculated. Considering the fact that the deceased was aged 40, the multiplier was taken as 15 and a total compensation of Rs.5,97,000/= was awarded with 12% interest from 31.12.1997, the date of application, till deposit. The award was passed on 8.5.2000. Considering the total compensation awarded, rate of interest, age of the claimants and totality of circumstances, we are of the opinion that just and reasonable compensation was awarded.

The appeal is dismissed.

J.B.KOSHY
JUDGE

V.GIRI
JUDGE

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